

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: San Francisco District
FILE NUMBER: 2000-25085N

REGULATORY PROJECT MANAGER: Bryan Matsumoto **Date:** January 30, 2008

PROJECT REVIEW/DETERMINATION COMPLETED: At the project site: Yes **Date:** January 14, 2008

PROJECT LOCATION INFORMATION:

State: CA
County: Sonoma
Center coordinates of site by latitude & longitudinal coordinates: 38.3970918468193 degrees N
-122.724761335917 degrees W
Approximate size of site/property (including uplands & in acres): 3.9 acres
Name of waterway or watershed: Russian River

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				X	
Is or would be used as habitat by other migratory birds that cross state lines?				X	
Is or would be used as habitat for endangered species?			X		
Is used to irrigate crops sold in interstate commerce?				X	

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION: Approved

OPTIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs): The wetlands are not in close proximity to a regulated water of the U.S. The closest known water of the U.S. to the wetlands is Colgan Creek, which is approximately 1300 feet from the project site. In addition, the wetlands on site do not appear to have any hydrologic connectivity by ditches/channels or even sheet flow off the site to Colgan Creek. The water in the wetlands is contained only in the low spots that constitute the wetlands.